



## **TREASURER REPORT**

A motion made by Trustee Flaherty approving the monthly treasurer's report for June 9, 2021; seconded by Trustee Browne. All voted "aye".

## **CODE ENFORCEMENT OFFICER**

Code enforcement officer Peter Bujanow submitted his monthly report for the month of May. He received \$2,330 in permit fees and one record search of \$35. As of May last year he issued 22 building permits and as of May this year he has issued 72 building permits.

He inquired if the Village Board would like to move forward with placing the village code book online with General Code called E360. He can have a cost comparison of printed books compared to having the village Code book online. The Village Board was in favor of receiving a proposal for the E360 code.

## **ECONOMIC DEVELOPMENT**

Economic Development Director Renee Shur submitted her May 2021 monthly report to the Village Board. Renee encouraged the public to view the report on the village of Kinderhook's website where her report is posted monthly. She inquired if the Village Board had any questions concerning her monthly report.

Q: Trustee Abrams inquired if she knew how many open businesses does the village have?

A: Renee stated she could not quantify that at this moment but she can provide him with a written report if he would like. Trustee Abrams noted it does not need to be a written report. He was inquiring how many businesses have moved into the village and how many remaining openings there are. They could catch up together to discuss.

Q: Trustee Abrams inquired if there can be data requested from people walking on the trail. How did they hear about the trail? Where are they from? Are they planning on going to a local restaurant or business? He is hoping this information will help with economic development in the future.

A: Renee commented, "absolutely" she's excited to acquire this information.

## **KBPA**

On June 5<sup>th</sup> the Farmer's Market Celebrated World Bicycle Day. The KBPA received \$588.00 in donations to be given to the Village of Kinderhook for the purchase of a bicycle rack.

The Valatie Rescue Squad approached the KBPA to have a pop-up vaccination site at the Kinderhook Farmer's Market. The leadership of the KBPA has approved the request. The Operations Director from the Valatie Rescue Squad, Steve Meehan has 22 of their 40 staff members trained to give the COVID vaccination shot. They would like to assist their community in becoming vaccinated if they so choose to.

The Village Board agrees that it is good exposure for the Valatie Rescue Squad to be at the Farmers Market and to provide the community with a vaccine.

## **MAYOR LEISER**

DPW- Now that the sickle bar has arrived the tractor has been used along the trail.

Fire Department- The monthly incident report was received with the minutes of the Officer's meeting. The minutes noted three calls, one drill and three details.

National Grid-Several weeks ago the Mayor received a call from BND Power wanting the DPW numbers to review their dig safe request. There was no other contact with them when Mayor Leiser was informed they were south of the village installing new poles by Smith Road in Stuyvesant. When they entered the village on Gaffney Lane on a Thursday and the garbage truck was having issues picking up the village residents garbage Mayor Leiser inquired with the men working what was their scope of work. They informed him they were replacing 60 poles throughout the village. There was no mention of any transformers being installed. A transformer was installed on the corner of Hudson Street and Maiden Lane. The electric going into the transformer is at 13,200 volts and comes out at 4,600 volts. Mayor Leiser called National Grid and spoke to Bob Chevy noting the village was not notified of the project and that the residence and business owners were not notified they would lose power for a few hours or that there will be transformers installed. After several phone calls back and forth they gave Mayor Leiser three options: Option No. 1 to have the overhead ratio transformer stay in place. Option No. 2 would be to install a pad mount ratio transformer like the one currently on Railroad Ave. For this option the resident would need to give permission and sign an easement. The pad mount could be hidden by plantings already on the property. Mayor Leiser was unable to contact the resident prior to leaving on vacation. Mayor Leiser explained if you lost electricity with a platform transformer National Grid could fix it almost immediately. With the pad mount transformer National Grid would need to trouble shoot the issue and it may take 24-48 hours to fix the issue. With Option No. 3 they would remove the transformer but with option No. 3 this would defeat National Grid's project to upgrade the service in the village and reduce power outages.

Mayor Leiser did propose to have the transformer installed down by the pump house. National Grid is unable to do that as they stated it is the end of the line there and there will be future projects. Also the pump house is in a flood plain zone. With this project National Grid will be removing 11 transformers off of the poles and the wires at the park will be placed underground.

Trustee Weir did contact the Public Service Commission concerning National Grids lack of any prior notification, electrical equipment in Historic District and the removal of redundant poles. The village received the following answers from the Public Service Commission that were sent out to the village residents by email blast.

Electrical Equipment in Historic Districts. If a utility-in this case, National Grid-has a right of way or an easement, they may install a pole and as many transformers as they deem necessary to deliver the best service to their customers, regardless of the area being designated as a national, state, city, or village historic area.

Prior Notification. There is nothing in the regulations that requires a utility to notify the municipality about any work that the utility plans to do, regardless of any inconvenience the work may cause. This includes loss of power to the entire municipality, to individual residences, or to business that may require electric power to operate during normal business hours.

Removal of Redundant Poles. There is no set time frame for removal of redundant poles. Consolidated Communications, one of the two cable/Internet companies that operate in Kinderhook, owns the service lines. The other cable/Internet company, Spectrum, leases the service lines. The company that owns the service lines is responsible for removal of the unused poles. Poles will be removed only after the two cable/ Internet companies move their lines onto the new poles. If the village feels that this process is taking an undue amount of time, the village may file a complaint with the Public Service Commission.

Business owner Paul Calcagno stated the village could pass a local law banning utility poles in the village business area as the Village of Valatie had done.

Trustee Weir noted this is the information she received from the Public Service Commission. The village was unaware of the project, therefore there was no time to adopt any local laws.

Paul requested the Village Board contact the Village of Valatie on how they passed a local law outlawing the overhead wires and utility poles to not allow the utility poles in the future.

Trustee Abrams offered to do the research as he would love all the utilities to be underground but knows it is very costly at approximately a million dollars a mile.

Village resident Sabine Murphy would like the village to have the wires placed underground and not have them backlotted.

Village resident, Paul Reignheart believes National Grid would save money by placing the lines underground as they would not have the cost of replacing the lines and the cost of tree trimming. He wanted to know if National Grid contacted the village beforehand to discuss the gross visual changes of the poles as he believes there is a previous agreement on the visual appearance of the poles in front of Historic houses and is worth the village inquiring if they are still under the agreement.

Mayor Leiser exited the meeting at 7:31 pm and Deputy Mayor Flaherty continued with the meeting.

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## **VILLAGE HISTORIAN**

Ruth Piwonka meets with a group of Historians from the County. As she believes it is a little premature but it is important they are discussing the 250<sup>th</sup> anniversary celebration of our country in five years called Semi quincennial in celebration of 1776. There has been a federal commission established and hopes the Village Recreation Commission would like to plan activities for the celebration.

## **TRUSTEE FLAHERTY**

Village Hall-The village hall ramp will be poured tomorrow and the sidewalk will be poured next week. Trustee Flaherty is in contact with Jim Shroeder from Stottville who is making the hand rail ADA compliant and replicating the previous hand rail as best as can be. He is hoping the railing will be installed by the next Village Board meeting.

Zoning Board of Appeals-there was no meeting held due to lack of agenda items.

Climate Smart Task Force-Chair, William Mancini gave the following report.

Meatless Monday-There are three weeks left in the Meatless Monday campaign. They discussed having an additional campaign in the fall and to include recipe suggestions and swaps by participants.

County's Natural Resources Inventory-Mr. Mancini requested the Village Board to consider adopting the County's Natural Resources Inventory (NRI) developed by the Columbia Land Conservancy and the County Environmental Management Council. The NRI provides a comprehensive practical reference for residents, developers and municipal and conservation agencies to understanding, using and caring for our land and water resources in Columbia County. Deputy Mayor Flaherty will have the village attorney review the resolution for proposed adoption next month.

NYSEARDA- With the assistance of Senior Planner from the CDRPC, Tara Donadio, the Task Force submitted the Energy Benchmarking Report for the Village for 2019 and 2020 to

NYSERDA. With its publication on the Village website NYSERDA will be awarded an additional 200 points towards NYSERDA's Clean Energy Community Leadership grants.

NYSTRETCH ENERGY CODE- Mr. Mancini asked the Board to consider the adoption of the NYSTRETCH ENERGY CODE 2020. This is a model code developed by NYSERDA that will provide more energy efficient and climate friendly approaches to local construction and renovation projects. Adoption of the code will earn the Village an additional 1,200 points in the Clean Energy Communities' Leadership program, more than doubling the current total. By adopting the code, NYSERDA will award the village a \$5,000 grant to be applied towards "Green" initiatives. By 2023, NY-Stretch code will be formally adopted statewide as the baseline energy code, as is typical of the 3 year energy code cycle that already exists in NYS.

Trustee Mark Browne has asked the Climate Smart Committee the following questions? 1. What municipalities have adopted the code? 2. What challenges did they have adopting the code? 3. What is the overhead in implementing the code? He is speaking with other municipalities concerning the proposed code mainly the city of Beacon. He is wondering when Peter is reviewing the E360 code if it is possible to see if other municipalities have adopted the NYStretch Energy Code. He noted the village is not against it they are researching it as the village has a little time prior to the requested adopted timeframe.

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Mr. Mancini spoke with Tara Donadio who contacted Mike Dewein of North Branch Services in Saratoga to respond to Trustee Browne's questions. Mr. Dewein is a consultant to NYSERDA for this area and is available to provide free technical assistance to the village in regards to NY-Stretch. Mr. Mancini would be happy to schedule a meeting with him for the Board to answer any other questions and provide additional information about the code.

Code Enforcement Officer, Peter Bujanow said energy savings is a great thing, it is one thing to adopt it but it is another thing to enforce it. He has informally been speaking to contractors and it is not being received well. He cautions the Village Board to adopt the code as his position is part time and to add an additional energy component onto his very full part time job. What is the impact on the code enforcement office? What is the impact on the contractors? Some feedback he had received was buildings are becoming too tight and there is no air flow damaging the inside of the building. The village needs to balance receiving the money compared to the enforcement of it. Additional staff may need to be hired to enforce the code as there are other regulations that are not being addressed due to the position being part time.

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### **TRUSTEE ABRAMS**

Trustee Abrams introduced grant writer, Bill Roehrer, who is reviewing three projects the village would like to seek grant funds for. One is the replacing of the existing salt shed with the Water Quality Improvement Program. The second project is the desire for the village to install water meters with the first time ever of grant funds with Green Infrastructure Grant Program. This program will allow to underwrite for half of the cost of the project. The third project will be to apply again for the Water Infrastructure Improvement grant for William Street and Albany Ave along with a USDA grant.

Q: Trustee Browne inquired where was the village in receiving quotes to move forward with the water meter grant.

A: Mr. Roehrer noted the grant is due by the end of July and it is a straight forward grant that he can move forward with if the village chooses to do so. He would like to view all the projects over the scoring matrix and apply for the competitive grants to not waste the village's money in pursuing a project.

Trustee Abrams stated former Mayor Dunham and Mayor Leiser met with Hudson Valley Engineering and walked William Street and Albany Ave. He contacted JMT Engineering who purchased Spectra Engineering the engineering firm that drafted the plans for Albany Ave. Hudson Valley Engineering will prepare updated plans for both streets in preparation for applying for grant funds.

Water & Sewer Department- There are eleven unpaid water bills of \$2,111.14 and three unpaid sewer bills of \$597.36.

Roads and Sidewalks-The sidewalk at 8 Broad Street has been finished. The repaving of Hudson Street from Sylvester to the Village Square is scheduled for the week of June 21<sup>st</sup> along with the shoulder improvements and repaving of Eichybush Road. Hudson Street will be a complete milling and repaving. The removal of the shoulders of the road on Eichybush Road at a 4 ft. width from the white line and then placing an inch and half overlay over the entire road will be completed in the same week. The village will send an email out to the residents informing them of the schedule of work for that week.

Historic Preservation Commission- The HPC secretary will fulfill a request to have paper copies available of the HPC manual and forms inside the Village Hall for anyone who does not have internet access. The Commission met on May 20<sup>th</sup> and reviewed and approved the seven applications that went before them.

Speeding and trucks-Trustee Abrams thanked Former Trustee Brian Murphy and village resident Stuart Pecknar with their guidance and help on the important issue that has impacted the village for a decade. With being new to village government he has realized two things: if the issue has been an issue for a long it is not an easy issue otherwise it would have been solved already and a lot of the issues are impacted by outside factors it will take multiple relationships and multiple entities collectively to come to a solution. The village does not oversee Route 9 as it is a state road, the village cannot prioritize law enforcements time, or control a business especially one outside of village limits. He has reviewed the traffic calming study that was completed in 2017 and believes it is still applicable today. He believes in the four years since the study and the data they have collected the volume of traffic has increased. The study did note there is an issue with speeding on Albany Ave and Gaffney Lane. He believes the heavy truck traffic has increased especially on Rt. 9. The report did say to reroute the heavy truck traffic would need to be done by county and state agencies. The study did not believe there would be a difference for the village roads.

Trustee Browne, Trustee Abrams, EDC Director Renee Shur and Former Trustee Murphy met and would like to do a pilot strategy of having a speed hump on Gaffney Lane. They are in the preliminary stages to decide where they want to place them on Gaffney. What is the cost and do they have the support of the neighbors and if multiple speed humps would be effective enough to bring the speed down on that road. If effective, they can purchase more permanent speed bumps and see if the portable ones would be effective on other roads. One speed hump is \$4,500 and the study recommends they should be placed every 400 to 500 ft. to reduce speed.

Another idea is the purchase of a removable data speed sign. The village has data that proves the sign reduces speed by 7 to 9 miles an hour. They are approximately \$4,000 to \$5,000 and can be considered during budget time. The village has contacted law enforcement concerning speeding trucks. They have pulled trucks over on Albany Ave and have warned them of their speed.

The study also mentioned if the stripping of the road is narrower people have the tendency to slow down. With the repaving of Eichybush Road the village will be mindful of stripping the road to be narrower to assist in reducing speed. If it is successful the village could consider using this strategy when repaving other roads.



Former Trustee Murphy noted the study did confirm Albany Ave, Eichybush Road and Gaffney Lane are three village streets that have speeding issues. The data he has collected with speed sign shows the traffic has increased on Gaffney Lane over the four years since the study was conducted. He will arrange for the salesperson from Traffic Logic to give a presentation at the DPW garage on the various options the village may consider for anyone interested.

Trustee Abrams knows there is a farm truck traffic issue on Hudson Street and Albany Ave. He has seen the trucks himself going every 20 to 30 minutes all day long. He has a call into NYS Agricultural and Markets and is waiting on a call back. The village could pass a local law restricting days and times for truck traffic on village streets. It would have to be reviewed and approved by Aggs and Market to make sure it is reasonable. Trustee Abrams is hopeful there can be a conversation with Wil-Rock Farm and there could be a reasonable solution. Items to be discussed are speeding of trucks, spilling of manure onto village streets, and uncovered trucks allowing debris onto the village streets.

Robert Colannino thanked everyone for what they are doing to assist in reducing the speed. He lives on Rt. 9 and his house is close to the road and he has seen an increase in the truck traffic in the 4.5 years he and his partner Mark has lived in the village. He is also worried about the vibration of the trucks going by as he has to re mortar his home.

### **TRUSTEE WEIR**

Recreation Commission- At this time the Village Recreation Commission may have to consider not having the summer program. The village has not received an application for the Directors position. They did receive an Ass't Directors application and nine councilor's applications. They will determine at Monday nights meetings. There was discussion that other options may be available for the kids this summer.

Rothermel Park Mural- Girl Scout Leader Risa Dimino believes the girls scouts will start painting the mural in July and will take approximately one week to paint.

Mills Park-The picnic tables and benches for Mills Park has been ordered the village is waiting for delivery.

Appointment to the Recreation Commission-The village received an email from Shanley Knox expressing her interest in joining the village Recreation Commission. The Commission is in favor of the Village Board appointing her to the vacant position. A motion made by Deputy Mayor Flaherty appointing Shanley Knox to the Recreation commission with her term ending March of 2027; seconded by Trustee Abrams. All voted "aye".

### **TRUSTEE BROWNE**

Planning Board -The Board met on June 3<sup>rd</sup> and addressed three applications. The Special Use Permit for 8 Broad Street 'Three Sisters Tavern' will be held open until July to address several concerns from the attorney for 10 Broad Street. The Site Plan Amendment for 12 Broad Street, Mary Ose, applicant, for proposed retail and rental space was approved. The application for a Home Occupation Permit request at 28 Hudson Street, Julie Meck, applicant, for a Pilate's studio open by appointment only, was approved.

Liaison to The School-Trustee Browne had the DPW place several cones near corners to assist with site distance for parking along Rt.9 for the event held at The School on June 4<sup>th</sup> and 5<sup>th</sup>.

Wil-Rock Farm-Trustee Browne was a liaison for the Runners Club/ OK5K to Wil-Rock Farm and as such has an established working relation with Cody Williams from the past so he spoke with him concerning the issues at hand representing the Village. As he is aware that farms were given Direct Federal Aid out of Washington under the affordable care act he advocated to Cody to wash the manure trucks down more often and he also requested to cover the hay trucks.

Truck Traffic-Trustee Browne is helping Trustee Abrams with the truck traffic issue. He stated a lot of trucks use Rt.9 because their computers tell them to and they are not restricted to stay on

9H. Several years ago there was a 9/9H Corridor Study conducted prior to the installation of the new traffic circle at the Wide Waters Development where Hannaford is located. The study indicated that due to the low volume of truck traffic back in 2006, we did not need to be restrict South bound trucks to take 9H but in the future these trucks may need to be kept on 9H. With the truck traffic volume has tripled since the study was completed, the village will be sending a letter to NYS Department of Transportation requesting them to revisit the issue; at least get the trucks going south to stay on 9H to eliminate some of the vibrations along Rt. 9 in the Village.

Deputy Flaherty stated he knows the Williams family and they have been running the farm since 1958. The village is in an agricultural area and the Williams are good neighbors and good stewards and he is pleased that Trustee Browne has reached out to Cody and believes we can come up with a cooperative agreement.

Cody Williams (Representing Wil-Rock Farms) offered to host a couple people to talk about the concerns and educate them on what they do and don't do. He would like to show them what they are working on to show a positive light for the community. They want to work with the village and show that they want to work with the community. He cannot promise they will not work late or on a Sunday when it is best to harvest. They want to be a positive part of the community and not a negative aspect. He requested for the board to reach out to him when they would like to meet.

Trustee Browne also noted due to closed bridges south of us that trucks have to come up Rt.9. to cross the creek to get to the farm fields adding to the truck traffic issue in the Village. This can be added to the letter sent to DOT that if the bridges were fixed there would not be so many farm trucks on Rt. 9 that need to go through the Village.

#### **APPLICATIONS OF USE**

Deputy Mayor Flaherty made a motion approving the following applications with the prevision that there is no NCLL games scheduled during the yoga classes; seconded by Trustee Weir. All voted "aye."

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| a. Marisa Rothstein is requesting the K-3 field, Pavilion and Tennis Courts on July 18 from 11-am-5pm for a birthday part for 2 Kinderhook Families' children                                  |
| b. Mary O'Reilly is requesting Van Buren Hall and Pavilion on Sundays at 8am year round and Thursdays at 7:30am after the summer session; and the Pavilion on Thursday at 7pm for yoga classes |
| c. Kinderhook Memorial Library is requesting the Pavilion on July 10th rain date of July 24th Library Program  |
| d. Kinderhook Memorial Library is requesting the Pavilion on June 9th from 6:30pm-8:30pm   |
| e. Kinderhook Memorial Library is requesting the Pavilion on July 9th rain date of July 16th from 3-4pm  |
| f. KBPA is requesting the Village Square on October 16th for a Craft Faire   |
| g. St Paul's Church is requesting to place sign on the corner of Rt.9/ Hudson St advertising Strawberry Festival   |
| h. Mary Carey is requesting Van Buren Hall on Mondays from 5-6 pm to hold Zumba Class  |

Rima Bostick thanked the Village Board for taking care of 48 William Street. She inquired what will be happening with the property. Deputy Flaherty informed her Ms. Dobies still owns the property and there is a substantial lien against the property. There is nothing more for the village to do.

Trustee Flaherty made a motion to adjourn the meeting and enter into executive session at 8:48pm to discuss a legal matter; seconded by Trustee Weir. All voted "aye." (Trustee Browne was not in attendance for executive session)



### EXECUTIVE SESSION

Deputy Mayor Flaherty stated the claims of the Birckmayer's had a settlement proposal. Casale Constuction, through defense counsel, was defending the claims. An easement for the sewer line between the Birckmayer property and the Village was offered as part of the settlement to allow for future work on the sewer line if necessary. The easement had been reviewed and approved by Attorney Fitzsimmons and Engineer Ray Jurkowski, P.E.. Trustee Abrams made a motion for the Mayor to execute a sewer easement and associated documents with the Birckmayers in final settlement of the claims; seconded by Trustee Weir. All voted "aye".

A motion made by Trustee Weir to adjourn executive session at 9:00pmm; seconded by Trustee Flaherty. All voted "aye."

Respectfully submitted,

Nicole H. Heeder  
Village Clerk